

IN RE: PETITION FOR ZONING VARIANCE
578 Huntsman Road, 1.069' E
of the c/l of Providence Road
(903 Huntsman Road)
9th Election District
4th Councilmanic District
Joseph Orlando, M.D., et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-70-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an accessory structure (swimming pool) in the side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. Also appearing and testifying on behalf of the Petition was John Eliades with Maryland, Inc. There were no Protestants.

Testimony indicated that the subject property, known as 903 Huntsman Road, consists of 1.23 acres more or less zoned D.R. 2 and is improved with a single family dwelling which has been the Petitioners' residence for the past 13 years. Petitioners are desirous of constructing a swimming pool; however, due to the location of existing septic system in the rear yard, the only suitable location is in the side yard as proposed. Petitioners have discussed the matter with the adjoining neighbors who have voiced no objections. Further testimony indicated that the variance requested will not result in any detriment to the health, safety or general welfare of the surrounding community and that to deny the relief requested would result in practical difficulty to the Petitioners.

Subsequent to the hearing, a letter dated August 28, 1989 from Mr. D. R. Tarallo for the Officers and Directors of the Hampton Improvement Association, was submitted to the file. The letter indicated that the community had no objections to the swimming pool but wanted its covenants to be addressed. Such covenants cannot be enforced in this forum but can be addressed by the parties through litigation as a civil matter if not resolved.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of September, 1989 that the Petition for Zoning Variance to permit an accessory structure (swimming pool) in the side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired.

- 2 -

ZONING DESCRIPTION

Beginning on the south side of Huntsman Road 50' wide, at the distance of 1,069 feet east of the centerline of Providence Road. Being Lot 18, zoned DR 2, subdivision of Hampton, Deed reference 5715, Folio 630, District 9. Also known as 903 Huntsman Road in the 9th Election District.

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 3, 1989
THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on August 3, 1989.

THE JEFFERSONIAN
TOWSON TIMES,
S. Zeke Olson
Publisher

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th Date of Posting: 8/13/89
Ported for: Notice
Petitioner: Dr. Joseph Orlando, et ux
Location of property: 578 Huntsman Rd. 1.069' E of Providence Rd.
903 Huntsman Rd.
Location of Sign: Facing West on Rd. across 15' Fr. Rd. d. by
2. Police by J. R. Haines
by J. R. Haines Date of return: 8/14/89
of Sign: 1

HAMPTON IMPROVEMENT ASSOCIATION
516 HAMPTON LANE
TOWSON, MD. 21204

AUG. 28, 1989

Mr. J. Robert Haines
Zoning Commissioner,
Towson, Md. 21204

Dear Mr. Haines:

It has come to our attention that Dr. J. Orlando, 903 Huntsman Rd. in Hampton (Towson), has applied for a variance to build a swimming pool on his property facing Huntsman Rd.

The property behind his home has a steep downward pitch, therefore he wishes to build along the west side of his house and along the above named street.

We have no objection to his desire to build a swimming pool, however we bring to your attention, that the community has covenants which state that homes and apartments must be 75 ft. back from the fronting road and 25 ft. from the side boundary line of the property.

While Dr. Orlando has not submitted his plan to the Architectural Committee for the Hampton Community, who review changes to maintain community integrity, we feel you should be aware that covenants and a Committee exist before any permission is granted concerning the Variance request.

We would appreciate knowing when and where the hearing will be held so we may attend.

Very truly yours,
D.R. Tarallo

For the Officers and Directors of
Hampton Improvement Association

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 22, 1989
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for June 13, 1989

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for items 493, 514, 517, 520, 521, 522, 524, 528, 529, 531, and 532.

For Item 511, the minimum panhandle width for one lot is 20 feet, not 10 feet as shown on the plan.

For Items 513, 516 and 533 the previous County Review Group Comments still apply.

For Item 519, all lots must have in-fee frontage to a public road.

For Item 530, comments are attached.

Robert W. Bowling, P.E., Chief
Developers Engineering Division

AMN:bjs

Petitioner would be required to return, and be responsible for returning, said property to its original condition.

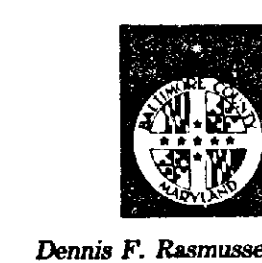
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

JUNE 14, 1989

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4300

Paul H. Rebeck
Capt.

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Dennis F. Rasmussen
County Executive

RE: Property Owner: DR. JOSEPH ORLANDO
Location: #903 HUNTSMAN ROAD

Item No.: 532 Zoning Agenda: JUNE 13, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Capt. Paul H. Rebeck, 6-15-89
Planning Group
Special Inspection Division

Noted and Approved
Capt. Paul H. Rebeck

JK/KER

JUN 19 1989

Baltimore County
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

DATE 9/8/89

Dr. & Mrs. Joseph Orlando
903 Huntsman Road
Towson, Maryland 21204



Dennis F. Rasmussen
County Executive

Re: Petition for Zoning Variance
CASE NUMBER: 90-70-A
55 Huntsman Road, 1069' E of c/l of Providence Road
903 Huntsman Road
9th Election District - 4th Councilmanic
Petitioner(s): Dr. Joseph Orlando, et ux
HEARING SCHEDULED: WEDNESDAY, AUGUST 30, 1989 at 2:00 p.m.

Dear Petitioners:

Please be advised that \$120.29 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be a charge of \$120.29 for each such set.

BALTIMORE COUNTY, MARYLAND		No. 074544
OFFICE OF FINANCE - REVENUE DIVISION		
MISCELLANEOUS CASH RECEIPT		
DATE 8/24/89	ACCOUNT 90-70-A	
AMOUNT \$ 120.29		
RECEIVED FROM		
FOR		
6 B116****1207913 330.0		
VALIDATION OR SIGNATURE OF CASHIER		

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-70-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 to DETACH ACCESSORY STRUCTURE (swimming pool) in the side yard instead of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Rear yard is taken up by septic area

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	DOLORES D. ORLANDO
Signature	Signature
Address	Dr. Joseph Orlando
City and State	(Type or Print Name)
Attorney for Petitioner:	Signature
(Type or Print Name)	903 Huntsman Road 484-8211
Address	Address
City and State	Towson, Maryland 21204
Name, address and phone number of legal owner, contract purchaser or representative to be contacted	City and State
Name	John Eliades/Maryland Pool, Inc.
Address	5617 Baltimore National Pike 744-5757
City and State	Baltimore Md 21228
Attorney's Telephone No.:	Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of June, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 30th day of August, 1989, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: August 16, 1989
Zoning Commissioner
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Joseph and Dolores Orlando, Item 532
Zoning Petition No. 90-70-A

The petitioners request a variance to permit an accessory structure in the side yard.

The Office of Planning and Zoning has no comment on the above request.

PK/JL/sf

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Suite 405
Towson, Maryland 21204
(301) 887-3354

July 24, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

RECEIVED
AUG 3 1989
ZONING OFFICE

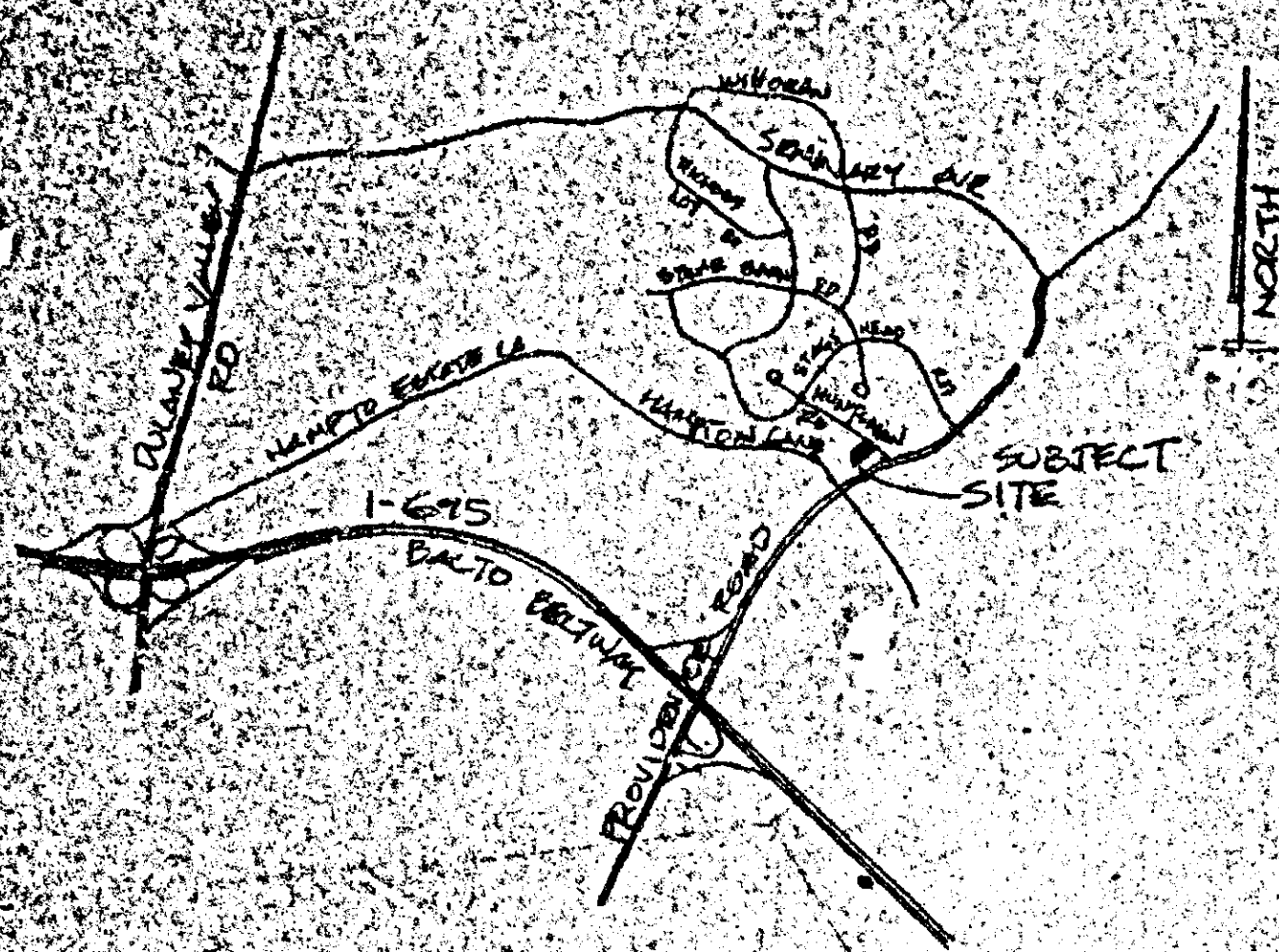
Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 493, 511, 513, 516, 517, 519, 520, 521, 522, 524, 528, 529, 530, 531, 532 and 533.

Very truly yours,
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lab

BY: MACK
DATE: 11/11/11
CHECKED BY: MACK
DRAFTSMAN: MACK



VICINITY MAP
NO SCALE

ZONING DESCRIPTION
BEGINNING ON THE SOUTH SIDE OF HUNTSMAN ROAD (50' WIDE), AT THE DISTANCE OF 1069 FT. EAST OF THE CENTERLINE OF PROVIDENCE ROAD, BEING LOT 18 ZONED DR 2, SUBDIVISION OF HAMPTON, DEED REFERENCE 5715, FOLIO 630, DISTRICT 9, ALSO KNOWN AS 903 HUNTSMAN ROAD, IN THE 9TH ELECTION DIST. OF BALTIMORE COUNTY, MD,

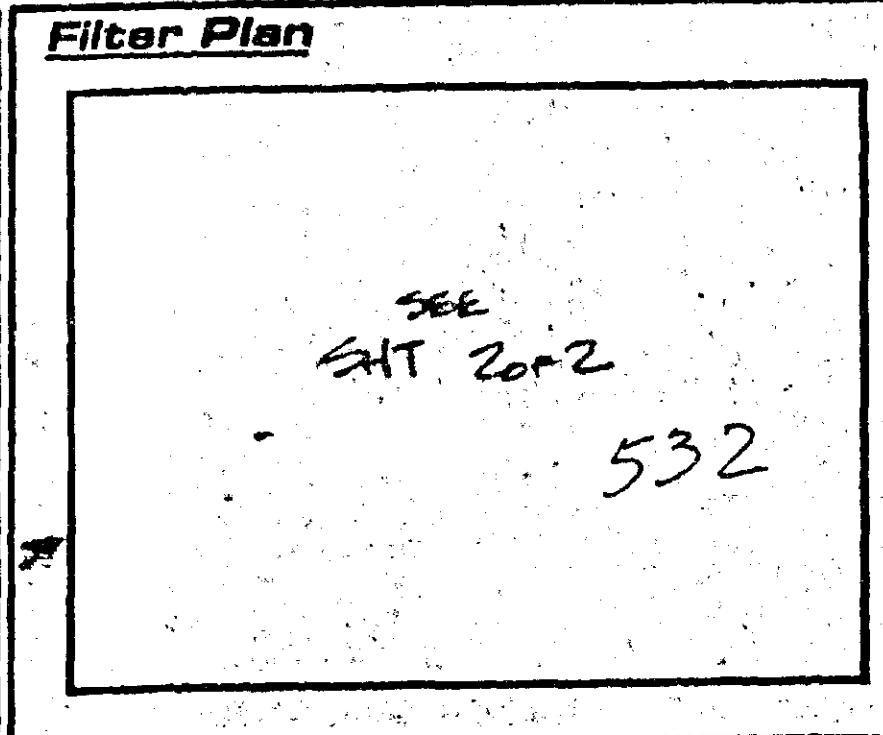
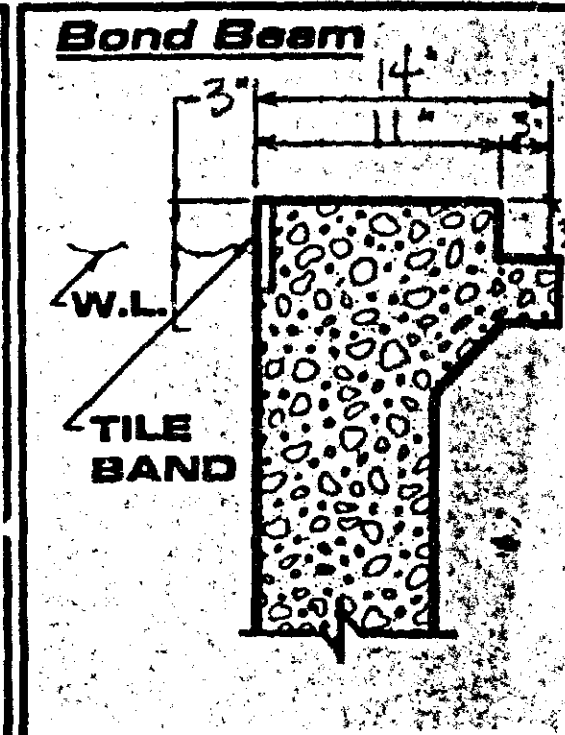
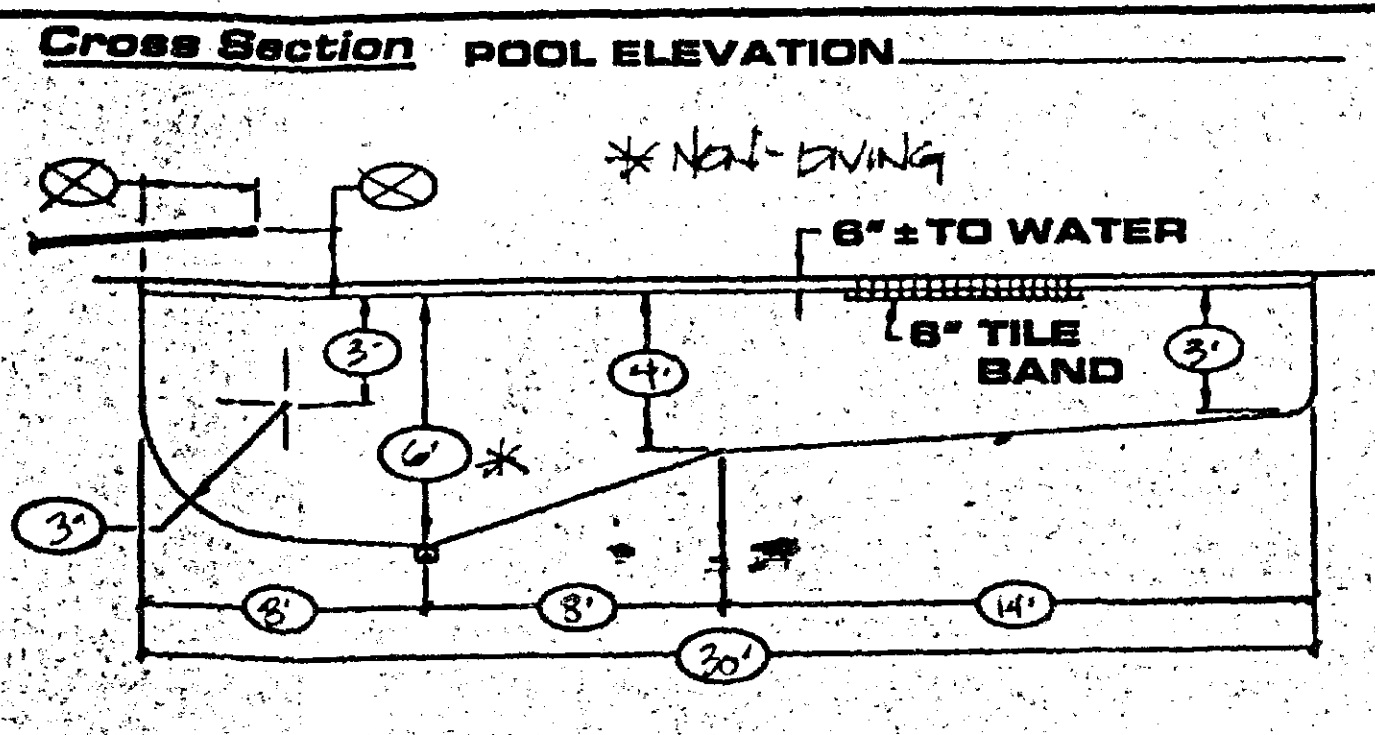
SITE PLAN 1"=20'
LOT 18
"HAMPTON"
DEED REF. 5715
FOLIO 630
DIST. 9
903 HUNTSMAN RD.
TOWSON, MD 21204
BALTIMORE CO. TAX ACCT# 0919512760

CUSTOMER APPROVAL _____ DATE _____
CHECKED BY - SALESMAN _____
CHECKED BY - DRAFTSMAN _____

DIRECTIONS
EAS (NORTH) TO TOWSON FOLLOW TO EXIT ONTO PROVIDENCE (EAST NORTH) EXIT 28. FOLLOW 1/2 MILE TO LEFT ONTO HUNTSMAN ROAD. FOLLOW TO SITE ON LEFT. 903 HUNTSMAN ROAD.

MARYLAND POOLS INC.

5817 BALTIMORE NATIONAL PIKE
BALTIMORE, MD 21228
BALTO. 744-5757 WASH. 982-1570



- SPECIAL NOTE**
- 1) FT. OF ELEC. CONTRACT.
 - 2) POOL AREA TO BE FENCED BY OWNER AS PER CODE.
 - 3) STEPS TO HAVE 5" x 5" RUBBER, TOP TIE.
 - 4) DO NOT TURN POOL WHEN POOL IS EMPTY.
 - 5) DO NOT USE BLACK HOSE WHEN FILLING. WILL MARK PLAC COPING.
 - 6) SET DOWN CONCRETE AT LEAST TWICE DAILY WHEN TEMP. IS 70 DEGREES.

GENERAL NO. EXCAVATOR

- LEAD CREW:** _____
- GUNITE CREW:** _____
- C&T CREW:** _____
- PLUMBING CREW:** _____
- DECK CREW:** _____

EQUIPMENT LIST

- DIRT: _____
- TILE: _____
- COPING: _____
- STEPS: _____ STYLE _____
- FINISH: _____
- FILTER: _____
- SAFETY EQ.: _____
- CLEANING EQ.: _____
- VACUUM EQ.: _____
- DIVING EQ.: _____
- LADDERS: _____
- GRABRAILS: _____
- LIGHTS: _____
- WATTS: _____ VOLTS: _____
- HEATER: _____
- SPI: _____
- LOVESEAT: _____
- DECKING: _____
- POOL COVER: _____
- SPECIAL EQ.: _____

POOL DATA

SIZE: 18' x 30' MODEL: KIDNEY
AREA: 450 sq. ft.
PERIMETER: 95' LINEAR
GALLONAGE: 15,190 GALL

NAME: DR. JOSEPH A. DELLORES ORLANDO

ADDRESS: 903 HUNTSMAN ROAD

CITY: TOWSON, MD 21204

COUNTY: BALTIMORE

TELEPHONE: (410) 301-8216 / (410) 301-6600

SCALE: 1/4" = 1'-0" SHT 1 of 2

DRAWN BY: JEN

DATE: 4/12/11 JOB NO. 2623